

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

One Hundred and Third Legislature

OF THE

STATE OF MAINE

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PRIVATE AND SPECIAL LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE
One Hundred and Second Legislature
AT THE
SPECIAL SESSION
January 17 - February 9, 1966

With approval of the Governor and Council, the Department of Health and Welfare is authorized to make such internal transfers of funds appropriated for the remainder of this biennium as may be necessary to make the most advantageous use of Public Law 89-97.

Effective May 11, 1966

Chapter 242

AN ACT Converting Allagash Plantation into the Town of Allagash and Converting St. Francis Plantation into the Town of St. Francis.

Emergency preamble. Whereas, Allagash Plantation and St. Francis Plantation, in the County of Aroostook are accessible to the location of the proposed Dickey Dam; and

Whereas, the construction of such a power installation will result in a large increase in the population of Allagash Plantation and St. Francis Plantation; and

Whereas, in the absence of a suitable and proper zoning ordinance, such an increase in population will result in an overcrowded condition detrimental to the development of Allagash Plantation and St. Francis Plantation; and

Whereas, Allagash Plantation and St. Francis Plantation must be organized as towns in order to adopt the zoning ordinances required; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. Town of Allagash, incorporated. Allagash Plantation, with the inhabitants therein, is hereby incorporated into a town by the name of Allagash. The inhabitants of said town are hereby vested with the powers, privileges and immunities which the inhabitants of towns within the State do or may enjoy. The town hereby created shall take the effects belonging to Allagash Plantation and shall also assume all the obligations thereof.

Sec. 2. First meeting, how called. Any justice of the peace in the County of Aroostook may issue his warrant to any legal voter in the Plantation of Allagash, directing him to notify the inhabitants to meet at a place specified in said warrant and at a time consistent with the normal annual meeting time in March, 1967, giving at least 7 days' notice therefor, for the choice of town officers and to transact such business as towns are authorized to do.

Sec. 3. Referendum; effective date; emergency clause. In view of the emergency cited in the preamble, sections 1 to 3 of this Act shall take effect when approved only for the purpose of permitting its submission to the legal voters within the territory embraced within the limits of said proposed Town of Allagash,

voting by ballot at an election to be specially called and held for the purpose within 12 months of the effective date of sections 1 to 3 of this Act. The meeting shall be called, advertised and conducted according to the law relating to municipal elections; provided, that the board of assessors in said proposed Town of Allagash shall not be required to prepare for posting, nor the plantation clerk to post, a new list of voters, and for the purpose of registration of voters, said board shall be in session on the day of election and on such additional days thereto as they may determine. The plantation clerk shall prepare the required ballots, on which he shall reduce the subject matter of sections 1 to 3 of this Act to the following question: "Shall 'An Act Converting Allagash Plantation into the Town of Allagash,' passed by the 102nd Legislature in special session be accepted?" The voters shall indicate by a cross or check mark placed against the words "Yes" or "No" their opinion of the same. Upon its acceptance by a majority of the legal voters voting at said meeting, sections 1 to 3 of this Act shall take effect for all the purposes hereof at the annual meeting in March, 1967; provided that the total number of votes cast for and against the acceptance of sections 1 to 3 of this Act at said meeting equaled or exceeded 50% of the total number of the qualified voters within said territory.

The result of the vote shall be declared by the board of assessors of the Plantation of Allagash, and due certificate shall be filed by the plantation clerk with the Secretary of State.

Sec. 4. Town of St. Francis, incorporated. St. Francis Plantation, with the inhabitants therein, is hereby incorporated into a town by the name of St. Francis. The inhabitants of said town are hereby vested with the powers, privileges and immunities which the inhabitants of towns within the State do or may enjoy. The town hereby created shall take the effects belonging to St. Francis Plantation and shall also assume all the obligations thereof.

Sec. 5. First meeting, how called. Any justice of the peace in the County of Aroostook may issue his warrant to any legal voter in the Plantation of St. Francis, directing him to notify the inhabitants to meet at a place specified in said warrant and at a time consistent with the normal annual meeting time in March, 1966, giving at least 7 days' notice therefor, for the choice of town officers and to transact such business as towns are authorized to do.

Sec. 6. Referendum; effective date; emergency clause. In view of the emergency cited in the preamble, sections 4 to 6 of this Act shall take effect when approved only for the purpose of permitting its submission to the legal voters within the territory embraced within the limits of said proposed Town of St. Francis, voting by ballot at an election to be specially called and held for the purpose within 7 months of the effective date of sections 4 to 6 of this Act. The meeting shall be called, advertised and conducted according to the law relating to municipal elections; provided, that the board of assessors in said proposed Town of St. Francis shall not be required to prepare for posting, nor the plantation clerk to post, a new list of voters, and for the purpose of registration of voters, said board shall be in session on the day of election and on such additional days thereto as they may determine. The plantation clerk shall prepare the required ballots, on which he shall reduce the subject matter of sections 4 to 6 of this Act to the following question: "Shall 'An Act Converting St. Francis Plantation into the Town of St. Francis,' passed by the 102nd Legislature in special session be accepted?" The voters shall indicate by a cross or check mark placed against the words "Yes" or "No" their opinion of the same. Upon its acceptance by a majority of the legal voters voting at said meeting, sections 4 to 6 of this

Act shall take effect for all the purposes hereof at the annual meeting in March, 1966; provided that the total number of votes cast for and against the acceptance of sections 4 to 6 of this Act at said meeting equaled or exceeded 50% of the total number of the qualified voters within said territory.

The result of the vote shall be declared by the board of assessors of the Plantation of St. Francis, and due certificate shall be filed by the plantation clerk with the Secretary of State.

Approved January 31, 1966

Chapter 243

AN ACT Relating to Mining Activity Under Goose Falls Pond, Town of Brooksville, Hancock County.

Preamble.

Whereas, the development of the State's resources and the growth of its economy are and will continue to be of vital importance and concern to the people of Maine; and

Whereas, the State has adopted a program for the exploration of state-owned lands and for the development of mineral deposits found thereon and has encouraged mining companies to engage in such projects on state-owned lands; and

Whereas, exploration carried on in the area of the Town of Brooksville, Hancock County indicates the presence of a mineral deposit within state-owned lands beneath the waters of a certain tidal estuary commonly called Goose Falls Pond; and

Whereas, the realization of a mining operation in said area will not only permit recovery of minerals from state-owned lands and produce royalty income for the State, but, in addition, will provide employment, business opportunities, income and other revenue to the people of Hancock County and the State of Maine; and

Whereas, it appears that the presence of water in the aforesaid tidal estuary precludes the performance of feasible mining operations on the aforesaid mineral deposit and that said deposit can be developed only by temporarily draining the water therefrom; and

Whereas, it further appears that the presence of water in the aforesaid tidal estuary is not of significant interest to the State as concerns navigation or fisheries and that the use of said state-owned lands for mining operations is consistent with any prior or proposed use by the State; and

Whereas, it further appears that the proposed mining operation will not adversely affect the preservation or development of wildlife in the area and that it may as planned provide a better environment and improved habitat for same; and